



IN THE UNITED STATES PATENT & TRADEMARKS OFFICE

ART UNIT: 1614

EXAMINER: UNKNOWN

APPLICANT: Charles Ebert

SERIAL NO.: 10/784,905

FILED: 02/23/2004

CONFIRM. NO.: 6139

FOR: TESTOSTERONE ORAL DOSAGE
FORMULATIONS AND
ASSOCIATED METHODS

ATTORNEY DOCKET NO. 22868.NP

**RESPONSE TO NOTICE TO FILE
MISSING PARTS OF PATENT
APPLICATION Filing Date
Granted**

**CERTIFICATE OF MAILING
UNDER 37 C.F.R. § 1.8**

DATE OF DEPOSIT: 07/16/04

I hereby certify that this paper or fee (along with any paper or fee referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated above and is addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Denise Dyer
Denise Dyer

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

In response to the Notice to File Missing Parts of Application mailed 05/17/2004, please find enclosed herewith the following items for filing in the United States Patent and Trademark Office in connection with the above-identified patent application:

- A copy of the Notice to File Missing Parts of Application Filing Date Granted.
- Applicant claims small entity status under 37 CFR 1.9(b) & 1.27(c).
- An Assignment from the inventors to Watson Pharmaceuticals, Inc..
- Declaration and Petition.
- Power of Attorney.
- Prior Art Statement, Form PTO-1449, and copies of cited prior art.
- A Petition for a _____-Month Extension of Time Under 37 CFR 1.136(a).

Response To Notice To File Missing Parts Of Patent Application
Page 2

The filing fee has been calculated as shown below.

			SMALL ENTITY	OTHER THAN A SMALL ENTITY	
FOR	NO. FILED	NO. EXTRA	RATE	FEE	RATE
BASIC FEE			\$385.00		\$770.00
TOT. CLAIMS	59-20=	39	x \$9.00 =		x \$18.00 =
IND. CLAIMS	-03=	0	x \$43.00 =		x \$86.00 =
MULTIPLE DEPENDENT CLAIMS PRESENTED		1	\$145.00		\$290.00
ASSIGNMENT FILING FEE			\$40.00		\$40.00
SURCHARGE FEE			\$65.00		\$130.00
			TOTAL		TOTAL
					\$1,932.00

- A check in the amount of \$1,932.00 is enclosed to cover the filing fee (including the surcharge fee and the assignment recordation fee).

The Commissioner is hereby authorized to charge any additional fees associated with this communication or to credit any overpayment to Deposit Account No. 20-0100.

Dated this 16 day of July, 2004.

Respectfully submitted,



M. Wayne Western
Attorney for Applicant
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MWW
MWW/DWO/dd
Enclosure



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/784,905	02/23/2004	Charles Ebert	22868.NP

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CONFIRMATION NO. 6139
FORMALITIES LETTER



OC000000012683915

Date Mailed: 05/17/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/20/2004 HLE333 00000011 10784905

FILED UNDER 37 CFR 1.53(b)

01 FC:1001	770.00 OP
02 FC:1202	702.00 OP
03 FC:1203	290.00 OP
04 FC:1051	130.00 OP

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$992** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1892** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is \$992

- \$702 for 39 total claims over 20.
- \$290 for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts
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P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE